

# STATE LAW LIBRARY OF MONTANA

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## Legislative History – Montana Session Law

Chapter: 314      Session L: 2009

Bill Number: SB 193

### Checklist of Bill History

|                                |                                     |
|--------------------------------|-------------------------------------|
| History and Final Status Sheet | <input checked="" type="checkbox"/> |
| Introduced Bill                | <input checked="" type="checkbox"/> |
| Fiscal Note                    | <input type="checkbox"/>            |
| Third Reading Bill             | <input checked="" type="checkbox"/> |
| Final Version of Bill          | <input checked="" type="checkbox"/> |

| House                        | Senate                       |
|------------------------------|------------------------------|
| Committee: Natural Resources | Committee: Natural Resources |
| Hearing Date(s): 3/30/2009   | Hearing Date(s): 2/4/2009    |
| Committee Report: 3/30/2009  | Committee Report: 2/4/2009   |

### Conference Committee

Hearing Date(s):

Conference Committee Report:

### Compiler Notes

Compiled by: *SK Marshall*

Date: *7/31/2024*

Notes:

|      |                                              |    |    |
|------|----------------------------------------------|----|----|
| 1/09 | INTRODUCED                                   |    |    |
| 1/09 | REFERRED TO JUDICIARY                        |    |    |
| 1/09 | FISCAL NOTE REQUESTED                        |    |    |
| 1/16 | HEARING                                      |    |    |
| 1/19 | FISCAL NOTE RECEIVED                         |    |    |
| 1/19 | FISCAL NOTE SIGNED                           |    |    |
| 1/20 | FISCAL NOTE PRINTED                          |    |    |
| 1/23 | COMMITTEE EXEC ACTION—BILL PASSED AS AMENDED | 7  | 5  |
| 1/23 | COMMITTEE REPORT—BILL PASSED AS AMENDED      |    |    |
| 1/27 | 2ND READING PASS MOTION FAILED               | 24 | 26 |
| 1/27 | 2ND READING INDEFINITELY POSTPONED           | 28 | 22 |
| 3/31 | MISSED DEADLINE FOR REVENUE BILL TRANSMITTAL |    |    |
|      | DIED IN PROCESS                              |    |    |

SB 192 INTRODUCED BY ZINKE

LC1370 DRAFTER: MURDO

## SMALL BUSINESS WORK COMP RELIEF

|       |                                                   |    |   |
|-------|---------------------------------------------------|----|---|
| 12/04 | FISCAL NOTE PROBABLE                              |    |   |
| 1/09  | INTRODUCED                                        |    |   |
| 1/09  | REFERRED TO BUSINESS, LABOR, AND ECONOMIC AFFAIRS |    |   |
| 1/09  | FISCAL NOTE REQUESTED                             |    |   |
| 1/26  | FISCAL NOTE RECEIVED                              |    |   |
| 1/27  | FISCAL NOTE PRINTED                               |    |   |
| 2/04  | HEARING                                           |    |   |
| 2/07  | REVISED FISCAL NOTE REQUESTED                     |    |   |
| 2/14  | REVISED FISCAL NOTE RECEIVED                      |    |   |
| 2/16  | REVISED FISCAL NOTE SIGNED                        |    |   |
| 2/16  | REVISED FISCAL NOTE PRINTED                       |    |   |
| 2/17  | COMMITTEE EXEC ACTION—BILL PASSED AS AMENDED      | 11 | 0 |
| 2/17  | COMMITTEE REPORT—BILL PASSED AS AMENDED           |    |   |
| 2/20  | 2ND READING PASSED ON VOICE VOTE                  | 49 | 0 |
| 2/21  | 3RD READING PASSED                                | 49 | 0 |
|       | TRANSMITTED TO HOUSE                              |    |   |
| 2/23  | REFERRED TO BUSINESS AND LABOR                    |    |   |
| 3/25  | HEARING                                           |    |   |
| 3/25  | COMMITTEE EXEC ACTION—BILL CONCURRED              | 18 | 0 |
| 3/25  | COMMITTEE REPORT—BILL CONCURRED                   |    |   |
| 4/01  | 2ND READING CONCURRED                             | 96 | 3 |
| 4/02  | 3RD READING CONCURRED                             | 97 | 3 |
|       | RETURNED TO SENATE                                |    |   |
| 4/03  | SENT TO ENROLLING                                 |    |   |
| 4/03  | RETURNED FROM ENROLLING                           |    |   |
| 4/03  | SIGNED BY PRESIDENT                               |    |   |
| 4/06  | SIGNED BY SPEAKER                                 |    |   |
| 4/07  | TRANSMITTED TO GOVERNOR                           |    |   |
| 4/15  | SIGNED BY GOVERNOR                                |    |   |
| 4/15  | CHAPTER NUMBER ASSIGNED                           |    |   |
|       | CHAPTER NUMBER 218                                |    |   |
|       | EFFECTIVE DATE: 7/01/2009 - ALL SECTIONS          |    |   |

SB 193 INTRODUCED BY MCGEE

LC0543 DRAFTER: WEISS

## SURVEY MONUMENT PRESERVATION

|      |                                      |    |   |
|------|--------------------------------------|----|---|
| 1/09 | INTRODUCED                           |    |   |
| 1/09 | REFERRED TO NATURAL RESOURCES        |    |   |
| 2/04 | HEARING                              |    |   |
| 2/05 | COMMITTEE EXEC ACTION—BILL PASSED    | 11 | 0 |
| 2/05 | COMMITTEE REPORT—BILL PASSED         |    |   |
| 2/07 | 2ND READING PASSED ON VOICE VOTE     | 49 | 0 |
| 2/09 | 3RD READING PASSED                   | 50 | 0 |
|      | TRANSMITTED TO HOUSE                 |    |   |
| 2/10 | REFERRED TO NATURAL RESOURCES        |    |   |
| 3/30 | HEARING                              |    |   |
| 3/30 | COMMITTEE EXEC ACTION—BILL CONCURRED | 18 | 0 |
| 3/30 | COMMITTEE REPORT—BILL CONCURRED      |    |   |
| 4/01 | 2ND READING CONCURRED                | 96 | 0 |
| 4/02 | 3RD READING CONCURRED                | 99 | 1 |
|      | RETURNED TO SENATE                   |    |   |
| 4/03 | SENT TO ENROLLING                    |    |   |
| 4/04 | RETURNED FROM ENROLLING              |    |   |
| 4/07 | SIGNED BY PRESIDENT                  |    |   |

4/07 SIGNED BY SPEAKER  
 4/09 TRANSMITTED TO GOVERNOR  
 4/20 CHAPTER NUMBER ASSIGNED  
 CHAPTER NUMBER 314  
 EFFECTIVE DATE: 10/01/2009 - ALL SECTIONS

SB 194 INTRODUCED BY MCGEE

LC1212 DRAFTER: HEFFELFINGER

EXEMPT LAND SURVEYORS FROM PUBLIC EMPLOYEE LABOR UNIONS & COLLECTIVE BARGAINING

|      |                                                                  |    |    |
|------|------------------------------------------------------------------|----|----|
| 1/09 | INTRODUCED                                                       |    |    |
| 1/09 | REFERRED TO BUSINESS, LABOR, AND ECONOMIC AFFAIRS                |    |    |
| 1/15 | HEARING                                                          |    |    |
| 1/16 | COMMITTEE EXEC ACTION—BILL PASSED                                | 7  | 4  |
| 1/17 | COMMITTEE REPORT—BILL PASSED                                     |    |    |
| 1/21 | 2ND READING PASS MOTION FAILED                                   | 23 | 25 |
| 1/21 | 2ND READING INDEFINITELY POSTPONED                               | 27 | 21 |
| 2/26 | MISSSED DEADLINE FOR GENERAL BILL TRANSMITTAL<br>DIED IN PROCESS |    |    |

SB 195 INTRODUCED BY WINDY BOY

LC1002 DRAFTER: B. CAMPBELL

BAN CREDIT SCORING ON AUTO INSURANCE

|      |                                                                             |
|------|-----------------------------------------------------------------------------|
| 1/09 | INTRODUCED                                                                  |
| 1/09 | REFERRED TO BUSINESS, LABOR, AND ECONOMIC AFFAIRS                           |
| 1/21 | HEARING                                                                     |
| 2/10 | TABLED IN COMMITTEE                                                         |
| 2/26 | MISSSED DEADLINE FOR GENERAL BILL TRANSMITTAL<br>DIED IN STANDING COMMITTEE |

SB 196 INTRODUCED BY WINDY BOY

LC1262 DRAFTER: BOHYER

DESIGNATE AMERICAN INDIAN HERITAGE DAY

|       |                                              |    |    |
|-------|----------------------------------------------|----|----|
| 12/02 | FISCAL NOTE PROBABLE                         |    |    |
| 1/09  | INTRODUCED                                   |    |    |
| 1/09  | REFERRED TO STATE ADMINISTRATION             |    |    |
| 1/09  | FISCAL NOTE REQUESTED                        |    |    |
| 1/19  | FISCAL NOTE RECEIVED                         |    |    |
| 1/19  | FISCAL NOTE SIGNED                           |    |    |
| 1/19  | FISCAL NOTE PRINTED                          |    |    |
| 1/19  | HEARING                                      |    |    |
| 1/20  | COMMITTEE EXEC ACTION—BILL PASSED AS AMENDED | 9  | 2  |
| 1/20  | COMMITTEE REPORT—BILL PASSED AS AMENDED      |    |    |
| 1/22  | REVISED FISCAL NOTE RECEIVED                 |    |    |
| 1/22  | REVISED FISCAL NOTE SIGNED                   |    |    |
| 1/22  | REVISED FISCAL NOTE PRINTED                  |    |    |
| 1/24  | 2ND READING PASSED                           | 32 | 17 |
| 1/26  | 3RD READING PASSED                           | 34 | 16 |
|       | TRANSMITTED TO HOUSE                         |    |    |
| 1/27  | REFERRED TO STATE ADMINISTRATION             |    |    |
| 2/04  | HEARING                                      |    |    |
| 3/06  | COMMITTEE EXEC ACTION—BILL CONCURRED         | 11 | 7  |
| 3/06  | COMMITTEE REPORT—BILL CONCURRED              |    |    |
| 3/10  | 2ND READING CONCURRED                        | 85 | 14 |
| 3/11  | 3RD READING CONCURRED                        | 82 | 17 |

|      |                                                                                           |
|------|-------------------------------------------------------------------------------------------|
| 3/11 | RETURNED TO SENATE                                                                        |
| 3/12 | SENT TO ENROLLING                                                                         |
| 3/12 | RETURNED FROM ENROLLING                                                                   |
| 3/13 | SIGNED BY SPEAKER                                                                         |
| 3/13 | SIGNED BY PRESIDENT                                                                       |
| 3/16 | TRANSMITTED TO GOVERNOR                                                                   |
| 3/25 | SIGNED BY GOVERNOR                                                                        |
| 3/25 | CHAPTER NUMBER ASSIGNED<br>CHAPTER NUMBER 93<br>EFFECTIVE DATE: 10/01/2009 - ALL SECTIONS |

SB 197 INTRODUCED BY LASLOVICH

LC0890 DRAFTER: LANE

DEFINE COURT TRANSCRIPTS AND PROVIDE FOR ADJUSTMENTS IN TRANSCRIPT COSTS

|       |                      |
|-------|----------------------|
| 11/21 | FISCAL NOTE PROBABLE |
| 1/12  | INTRODUCED           |

1  
2 INTRODUCED BY Don G. [Signature] <sup>Senate</sup> BILL NO. 193  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE PRESERVATION OF MONUMENTS FOR THE  
5 PURPOSES OF LAND SURVEYS."

6  
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
8

9 NEW SECTION. **Section 1. Monument preservation.** (1) A public or private entity or person shall,  
10 before engaging in activity that will or is likely to disturb or destroy a monument or the accessories to a  
11 monument, require the following activities to be performed by a professional land surveyor, as defined in  
12 37-67-101, or a qualified person under the direct supervision of a professional land surveyor:

13 (a) locate and reference the monument or the accessories to the monument; and

14 (b) file a corner record showing the location of the references to the monument or to the accessories to  
15 the monument as required in 70-22-104 and 70-22-105.

16 (2) A public or private entity or person shall, within 30 days of completing activity that has disturbed or  
17 destroyed a monument or the accessories to a monument, require the following activities to be performed by a  
18 professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a  
19 professional land surveyor:

20 (a) restore or replace the monument or the accessories to the monument, using the references  
21 established in subsection (1)(b); and

22 (b) file a new corner record as required in 70-22-104 and 70-22-105.  
23

24 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
25 integral part of Title 70, chapter 22, part 1, and the provisions of Title 70, chapter 22, apply to [section 1].  
26

- END -

APPROVED BY COMM-ON  
NATURAL RESOURCES

SENATE BILL NO. 193

INTRODUCED BY

(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE PRESERVATION OF MONUMENTS FOR THE PURPOSES OF LAND SURVEYS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Monument preservation.** (1) A public or private entity or person shall,

before engaging in activity that will or is likely to disturb or destroy a monument or the accessories to a monument, require the following activities to be performed by a professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a professional land surveyor:

- (a) locate and reference the monument or the accessories to the monument; and
- (b) file a corner record showing the location of the references to the monument or to the accessories to the monument as required in 70-22-104 and 70-22-105.

(2) A public or private entity or person shall, within 30 days of completing activity that has disturbed or destroyed a monument or the accessories to a monument, require the following activities to be performed by a professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a professional land surveyor:

- (a) restore or replace the monument or the accessories to the monument, using the references established in subsection (1)(b); and
- (b) file a new corner record as required in 70-22-104 and 70-22-105.

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an

integral part of Title 70, chapter 22, part 1, and the provisions of Title 70, chapter 22, apply to [section 1].

- END -

1  
2 INTRODUCED BY Don G. R. [Signature] <sup>Senator</sup> BILL NO. 193  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE PRESERVATION OF MONUMENTS FOR THE  
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14 (b) file a corner record showing the location of the references to the monument or to the accessories to  
15 the monument as required in 70-22-104 and 70-22-105.

16 (2) A public or private entity or person shall, within 30 days of completing activity that has disturbed or  
17 destroyed a monument or the accessories to a monument, require the following activities to be performed by a  
18 professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a  
19 professional land surveyor:

20 (a) restore or replace the monument or the accessories to the monument, using the references  
21 established in subsection (1)(b); and

22 (b) file a new corner record as required in 70-22-104 and 70-22-105.

23  
24 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
25 integral part of Title 70, chapter 22, part 1, and the provisions of Title 70, chapter 22, apply to [section 1].

26 - END -

APPROVED BY COMM ON  
NATURAL RESOURCESINTRODUCED BY Don G. Pfeiffer <sup>Senate</sup> BILL NO. 193  
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE PRESERVATION OF MONUMENTS FOR THE  
PURPOSES OF LAND SURVEYS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Monument preservation.** (1) A public or private entity or person shall,  
before engaging in activity that will or is likely to disturb or destroy a monument or the accessories to a  
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37-67-101, or a qualified person under the direct supervision of a professional land surveyor:

(a) locate and reference the monument or the accessories to the monument; and

(b) file a corner record showing the location of the references to the monument or to the accessories to  
the monument as required in 70-22-104 and 70-22-105.

(2) A public or private entity or person shall, within 30 days of completing activity that has disturbed or  
destroyed a monument or the accessories to a monument, require the following activities to be performed by a  
professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a  
professional land surveyor:

(a) restore or replace the monument or the accessories to the monument, using the references  
established in subsection (1)(b); and

(b) file a new corner record as required in 70-22-104 and 70-22-105.

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
integral part of Title 70, chapter 22, part 1, and the provisions of Title 70, chapter 22, apply to [section 1].

- END -

SENATE BILL NO. 193  
INTRODUCED BY D. MCGEE

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE PRESERVATION OF MONUMENTS FOR THE PURPOSES OF LAND SURVEYS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Monument preservation.** (1) A public or private entity or person shall, before engaging in activity that will or is likely to disturb or destroy a monument or the accessories to a monument, require the following activities to be performed by a professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a professional land surveyor:

(a) locate and reference the monument or the accessories to the monument; and

(b) file a corner record showing the location of the references to the monument or to the accessories to the monument as required in 70-22-104 and 70-22-105.

(2) A public or private entity or person shall, within 30 days of completing activity that has disturbed or destroyed a monument or the accessories to a monument, require the following activities to be performed by a professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a professional land surveyor:

(a) restore or replace the monument or the accessories to the monument, using the references established in subsection (1)(b); and

(b) file a new corner record as required in 70-22-104 and 70-22-105.

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 70, chapter 22, part 1, and the provisions of Title 70, chapter 22, apply to [section 1].

- END -





AN ACT REQUIRING THE PRESERVATION OF MONUMENTS FOR THE PURPOSES OF LAND SURVEYS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1. Monument preservation.** (1) A public or private entity or person shall, before engaging in activity that will or is likely to disturb or destroy a monument or the accessories to a monument, require the following activities to be performed by a professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a professional land surveyor:

- (a) locate and reference the monument or the accessories to the monument; and
- (b) file a corner record showing the location of the references to the monument or to the accessories to the monument as required in 70-22-104 and 70-22-105.

(2) A public or private entity or person shall, within 30 days of completing activity that has disturbed or destroyed a monument or the accessories to a monument, require the following activities to be performed by a professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a professional land surveyor:

- (a) restore or replace the monument or the accessories to the monument, using the references established in subsection (1)(b); and
- (b) file a new corner record as required in 70-22-104 and 70-22-105.

**Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 70, chapter 22, part 1, and the provisions of Title 70, chapter 22, apply to [section 1].

- END -

approved continuing education, *including at least 1 credit hour on changes in Montana insurance statutes and administrative rules and the remaining credit hours in the areas of insurance law, ethics, or limited lines credit insurance;*

~~(c) an individual licensed as an insurance producer, adjuster, or consultant shall, during each biennium, complete at least 1 credit hour of approved continuing education on changes in Montana insurance statutes and administrative rules.~~

(2) The commissioner may, for good cause, grant an extension of time, not to exceed 1 year, during which the requirements imposed by subsection (1) may be completed.

(3) The minimum continuing education requirements do not apply to:

- (a) an individual holding a temporary license issued under 33-17-216; or
- (b) an insurance producer, adjuster, or consultant otherwise exempted by the commissioner."

**Section 9. Effective date.** [This act] is effective July 1, 2009.

**Section 10. Applicability.** [Section 8] applies to 24-month periods for obtaining continuing education beginning on or after January 1, 2010.

Approved April 18, 2009

## CHAPTER NO. 314

[SB 193]

### AN ACT REQUIRING THE PRESERVATION OF MONUMENTS FOR THE PURPOSES OF LAND SURVEYS.

*Be it enacted by the Legislature of the State of Montana:*

**Section 1. Monument preservation.** (1) A public or private entity or person shall, before engaging in activity that will or is likely to disturb or destroy a monument or the accessories to a monument, require the following activities to be performed by a professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a professional land surveyor:

(a) locate and reference the monument or the accessories to the monument; and

(b) file a corner record showing the location of the references to the monument or to the accessories to the monument as required in 70-22-104 and 70-22-105.

(2) A public or private entity or person shall, within 30 days of completing activity that has disturbed or destroyed a monument or the accessories to a monument, require the following activities to be performed by a professional land surveyor, as defined in 37-67-101, or a qualified person under the direct supervision of a professional land surveyor:

(a) restore or replace the monument or the accessories to the monument, using the references established in subsection (1)(b); and

(b) file a new corner record as required in 70-22-104 and 70-22-105.

**Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 70, chapter 22, part 1, and the provisions of Title 70, chapter 22, apply to [section 1].

Approved April 19, 2009

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** Chairman Kelly Gebhardt, on February 4, 2009 at 3:00 P.M., in Room 422 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Kelly Gebhardt, Chairman (R)  
Sen. Debby Barrett, Vice Chairman (R)  
Sen. Aubyn Curtiss (R)  
Sen. Ken (Kim) Hansen (D)  
Sen. Jim Keane (D)  
Sen. Gary L. Perry (R)  
Sen. Donald J. Steinbeisser (R)  
Sen. Mitch Tropila (D)

##### **Members Excused:**

Sen. Christine Kaufmann (D)  
Sen. Jim Peterson (R)  
Sen. David E. Wanzenried (D)

**Members Absent:** None.

**Staff Present:** Lindsey Hern, Committee Secretary  
Sonja Nowakowski, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 193, 1/27/2009; SB 297,  
1/27/2009

Executive Action: SB 101; SB 193; SB 297

Sen. Kaufmann came in after roll call.

**HEARING ON SB 193**

**Opening Statement by Sponsor:**

00:01:22 Sen. Dan McGee (R), SD 29, opened the hearing on SB 193, Survey monument preservation.

**Proponents' Testimony:**

00:08:17 Warren Latvala, Licenced Land surveyor, self, and Montana Association of Registered Land Surveyors (MARLS)

**EXHIBIT** (nas26a01)

00:15:35 Joe Roberts, MARLS

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:16:48 Sen. Hansen  
00:17:20 Sen. McGee  
00:17:48 Sen. Hansen  
00:17:55 Sen. McGee  
00:18:40 Sen. Hansen  
00:19:02 Sen. McGee  
00:19:39 Chairman Gebhardt  
00:19:53 Sen. McGee  
00:21:07 Chairman Gebhardt  
00:21:22 Sen. McGee  
00:23:09 Chairman Gebhardt  
00:23:18 Sen. McGee  
00:24:09 Sen. Curtiss  
00:24:35 Sen. McGee  
00:27:21 Sen. Steinbeisser  
00:27:28 Sen. McGee  
00:28:33 Sen. Barrett  
00:28:44 Sen. McGee

**Closing by Sponsor:**

00:29:11 Sen. McGee

**HEARING ON SB 297**

**Opening Statement by Sponsor:**

00:30:18 Sen. Cliff Larsen (D), SD 50, opened the hearing on SB 297, Map state gravel resources.

[EXHIBIT \(nas26a02\)](#)

00:32:22 Sen. Peterson came to the committee.

**Proponents' Testimony:**

00:35:13 Steve Wade, Montana Contractors Association (MCA)

00:36:09 Harold Blattie, Montana Association of Counties (MACo)

00:37:25 John Metesh, Montana Bureau of Mines and Geology  
(MBMF)

[EXHIBIT \(nas26a03\)](#)

**Opponents' Testimony:**

None

**Informational Testimony:**

00:42:51 Judy Hanson, Administrator, Permitting and Compliance,  
Department of Environmental Quality (DEQ)

**Questions from Committee Members and Responses:**

00:43:50 Sen. Kaufmann

00:44:20 Mr. Wade, MCA

00:44:57 Sen. Kaufmann

00:45:17 Mr. Wade, MCA

00:46:31 Sen. Hansen

00:47:19 Sen. Larsen

00:49:50 Sen. Barrett

00:51:03 Mr. Blattie, MACo

00:53:11 Chairman Gebhardt

00:54:08 Mr. Metesh, MBMG

00:55:49 Sen. Curtiss

00:56:26 Mr. Metesh, MBMG

00:57:58 Sen. Barrett

00:58:41 Mr. Metesh, MBMG

00:59:25 Sen. Barrett

**Closing by Sponsor:**

00:59:39 Sen. Larsen

**EXECUTIVE ACTION ON SB 297**

01:03:33 **Motion:** Sen. Perry moved that **SB 297 DO PASS.**

01:04:00 **Motion:** Sen. Perry moved that **SB 297 BE AMENDED.**  
(Exhibit 2)

**Discussion:**

01:04:36 Sonja Nowakowski, Legislative Service Division (LSD)

01:05:16 **Vote:** Motion that **SB 297 BE AMENDED** carried  
unanimously by voice vote. Sen. Keane and Sen.  
Wanzenried voted by proxy.

01:05:47 **Motion:** Sen. Perry moved **SB 297 DO PASS AS AMENDED.**

**Discussion:**

01:05:59 Sen. Barrett

01:07:23 Sen. Perry

01:08:31 **Vote:** Motion that **SB 297 DO PASS AS AMENDED** carried  
unanimously by voice vote. Sen. Keane and Sen.  
Wanzenried voted by proxy.

01:09:11 Sen. Gebhardt

**EXECUTIVE ACTION ON SB 193**

Sen. Peterson left before Executive Action on SB 193.

01:10:07 **Motion/Vote:** Sen. Curtiss moved that **SB 193 DO PASS.**  
Motion carried unanimously by voice vote. Sen. Keane,  
Sen Wanzenried and Sen. Peterson voted by proxy.

**EXECUTIVE ACTION ON SB 101**

01:12:33 **Motion:** Sen. Perry moved that **SB 101 DO PASS.**

01:12:56 **Motion:** Sen. Kaufmann moved that **SB 101 BE AMENDED.**  
**EXHIBIT** (nas26a04)

**Discussion:**

01:13:19 Mrs. Nowakowski, LSD

01:14:46 Sen. Kaufmann

01:16:40 Chairman Gebhardt

01:17:19 **Vote:** Motion that **SB 101 BE AMENDED** carried unanimously by voice vote. Sen. Keane, Sen. Wanzenried and Sen. Peterson voted by proxy.

01:18:02 **Motion:** Sen. Perry moved **SB 101 AS AMENDED**.

01:18:15 **Vote:** Motion that **SB 101 DO PASS AS AMENDED** failed 4-7 by roll call vote with Sen. Kaufmann, Sen. Perry, Sen. Tropila, and Sen. Wanzenried voting aye. Sen. Keane, Sen. Peterson, and Sen. Wanzenried voted by proxy.

01:19:20 **Motion:** Sen. Perry moved that **SB 101 BE TABLED AND THE VOTE REVERSED**.

01:19:26 Chairman Gebhardt reversed the vote and tabled the bill.

**ADJOURNMENT**

Adjournment: 4:36 P.M.

---

Lindsey Hern, Secretary

lh

Additional Documents:

**EXHIBIT ([nas26aad.pdf](#))**



**Department of Public Works- Survey Division**200 WEST BROADWAY  
MISSOULA, MT 59802Steve Niday, Land Survey Manager  
Office (406)258-3878SENATE NATURAL RESOURCES  
sniday@co.missoula.mt.us

EXHIBIT NO. 1

DATE Feb. 4, 2009

BILL NO. SB 193  
10th Century Trail and Boundary Stone

TO: Senate Natural Resources Committee  
FROM: Steve Niday, PLS 10998S  
DATE: February 3, 2009  
RE: SB 193

I support Senate Bill 193, an act requiring the preservation of monuments for the purpose of land surveys. I have been a surveyor for Missoula County for 30 years, and have witnessed first hand the problems that survey monument destruction can cause. Private and public entities are often greatly burdened by additional costs due to survey monument destruction, both in the form of increased survey costs and potentially significant litigation costs. I believe this act would provide me a tool to help protect survey monuments, and therefore, the public. It is much less expensive, and more reliable, to replace a monument that has been properly referenced, than re-establish it from other sources.

There is a vast body of written material; federal, state and local laws and regulations, court opinions, and published material, affirming and supporting the importance of the physical survey monument. It is the physical monument that is given the most weight and is superior to all other evidence when determining land boundaries. It is this rule of man, and actually all animals, which is essential to the orderly occupation of land. There are boundary stones that have been in place for 5000 years. I would argue that physical monuments to mark claims of ownership began when the first animal marked a natural object with a natural substance. Since we believe ourselves to be a bit more civilized than other animals, we use different materials to monument our claims and different methods to determine the proper location for the monuments, but the principle is the same. The monument rules, and the ancients placed such a high value on them they invoked specific deities to protect them and curse any who would disturb them.

Montana was originally surveyed and divided into sections and townships, in what is known as the Public Land Survey System (PLSS). It is from this initial framework that private claims were filed under the Homestead Act. This PLSS framework was monumented, and these monuments serve as the best evidence of the location of the original private claims. Since the initial claims were made, many have been divided into smaller areas. Each time a division is made, the controlling element for the location of the new lines is the existing monuments. Lose one monument and additional resources are expended to determine the position that monument held. Replace one monument and some uncertainty is included in its position. Every time this process repeats itself additional resources are necessary to determine the position and additional uncertainty is introduced. In other words, anytime a monument is lost; the effects are potentially felt by more than just the property owner whose monument was destroyed. "My" monument most likely marks my neighbors claim also. If "our" monument is lost, it very well might affect the person down the road.

Thank you,  
Steve Niday

**BUSINESS REPORT**

**MONTANA SENATE  
61st LEGISLATURE - REGULAR SESSION**

**SENATE NATURAL RESOURCES COMMITTEE**

**Date:** Wednesday, February 4, 2009  
**Place:** Capitol

**Time:** 3:00 pm  
**Room:** 422

**BILLS and RESOLUTIONS HEARD:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

SB 193, SB 297

SB 193 \_\_\_\_\_

SB 297 \_\_\_\_\_

**EXECUTIVE ACTION TAKEN:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

SB 297 DPAA \_\_\_\_\_

SB 193 P \_\_\_\_\_

SB 101 Tabled with amendment \_\_\_\_\_

**COMMENTS:**

Kelly Gebhardt  
SEN. Kelly Gebhardt, Chairman

**MONTANA STATE SENATE**  
**Roll Call**  
**NATURAL RESOURCES COMMITTEE**

DATE: February 4, 2009

| <u>NAME</u>                       | <u>PRESENT</u> | <u>ABSENT/<br/>EXCUSED</u> |
|-----------------------------------|----------------|----------------------------|
| SENATOR KELLY GEBHARDT, CHAIR     | ✓              |                            |
| SENATOR DEBBY BARRETT, VICE CHAIR | ✓              |                            |
| SENATOR AUBYN CURTISS             | ✓              |                            |
| SENATOR KEN HANSEN                | ✓              |                            |
| SENATOR CHRISTINE KAUFMANN        |                | E                          |
| SENATOR JIM KEANE                 | ✓              |                            |
| SENATOR GARY PERRY                | ✓              |                            |
| SENATOR JIM PETERSON              |                | E                          |
| SENATOR DONALD STEINBEISSER       | ✓              |                            |
| SENATOR MITCH TROPILA             | ✓              |                            |
| SENATOR DAVID WANZENRIED          |                | E                          |
|                                   |                |                            |
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## SENATE STANDING COMMITTEE REPORT

February 5, 2009

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 297** (first reading copy -- white) do pass as amended.

Signed: Kelly Gebhardt  
Senator Kelly Gebhardt, Chair

**And, that such amendments read:**

1. Title, page 1, line 5 through line 6.

**Strike:** "ESTABLISHING" on line 5 through "ACCOUNT" on line 6

**Insert:** "ALLOWING THE MONTANA BUREAU OF MINES AND GEOLOGY TO  
ACCEPT GIFTS, GRANTS, AND REIMBURSEMENTS"

2. Page 1, line 18 through line 19.

**Strike:** "the balance" on line 18 through "cost of" on line 19

**Insert:** "it has sufficient funds to conduct "

3. Page 1, line 26 through page 2, line 1.

**Strike:** section 2 in its entirety

**Insert:** "NEW SECTION. **Section 2. Authority to accept gifts, grants, and reimbursements.** The Montana bureau of mines and geology may accept gifts, grants, and reimbursements to be used for the purposes of [section 1]."

- END -

**Committee Vote:**

**Yes 11, No 0**

Fiscal Note Required ☐

SB0297001SC.sdr

DR



## SENATE STANDING COMMITTEE REPORT

February 4, 2009

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 193** (first reading copy -- white) **do pass**.

Signed: Kelley Gebhardt  
Senator Kelly Gebhardt, Chair

- END -

**Committee Vote:**

**Yes 11, No 0**

Fiscal Note Required ☐

SB0193001SC.sdr

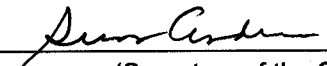
DR

## COMMITTEE FILE COPY

### TABLED BILL

The **SENATE NATURAL RESOURCES COMMITTEE** TABLED **SB 101**, by motion, on **Wednesday, February 4, 2009**.

  
(For the Committee)

  
(Secretary of the Senate)

1145 / 2/6  
(Time) (Date)

February 6, 2009

Lindsey Hern, Secretary

Phone: 4814

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**MONTANA STATE SENATE**  
**Roll Call Vote**  
**NATURAL RESOURCES COMMITTEE**

DATE Feb. 4, 2009 BILL NO SB101 MOTION NO. 1  
 MOTION: Do Pass as Amended.

| <u>NAME</u>                       | <b>AYE</b> | <b>NO</b> | <b>If Proxy Vote, check here &amp; include signed Proxy Form with minutes</b> |
|-----------------------------------|------------|-----------|-------------------------------------------------------------------------------|
| SENATOR DEBBY BARRETT, VICE CHAIR |            | ✓         |                                                                               |
| SENATOR JIM KEANE                 |            | ✓         | ✓                                                                             |
| SENATOR JIM PETERSON              |            | ✓         | ✓                                                                             |
| SENATOR MITCH TROPILA             | ✓          |           |                                                                               |
| SENATOR AUBYN CURTISS             |            | ✓         |                                                                               |
| SENATOR KEN HANSEN                |            | ✓         |                                                                               |
| SENATOR DONALD STEINBEISSER       |            | ✓         |                                                                               |
| SENATOR CHRISTINE KAUFMANN        | ✓          |           |                                                                               |
| SENATOR GARY PERRY                | ✓          |           |                                                                               |
| SENATOR DAVID WANZENRIED          | ✓          |           | ✓                                                                             |
| SENATOR KELLY GEBHARDT, CHAIR     |            | ✓         |                                                                               |
|                                   |            |           |                                                                               |
|                                   |            |           |                                                                               |

4      7

# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Natural Resources Committee because of other commitments. I desire to leave my proxy vote with:

Sen Hansen

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

| BILL/AMENDMENT            | AYE | NO |
|---------------------------|-----|----|
| 101 as amended            |     | ✓  |
| 297                       | ✓   |    |
| 193                       | ✓   |    |
| 101 amend                 | ✓   |    |
| <del>101 as amended</del> |     | ✓  |
| SB 297 amend              | ✓   |    |
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| BILL/AMENDMENT | AYE | NO |
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Sen. Jim Nease (Signature) Date 02/04/07



# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Nat Res. Committee  
because of other commitments. I desire to leave my proxy vote with:

Debby Barrett

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

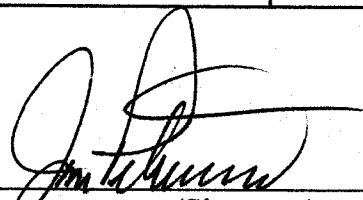
|                  |   |   |
|------------------|---|---|
| SB 193           | ✓ |   |
| SB 101 amend     | ✓ |   |
| SB 101 amendment |   | ✓ |
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BILL/AMENDMENT

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sen.

  
(Signature)

Date

Feb 4, 2009

# AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from NATURAL RESOURCES Committee because of other commitments. I desire to leave my proxy vote with:

SENATOR KAUFMANN

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT                      AYE      NO

|                 |   |  |
|-----------------|---|--|
| SB 297 Amend 01 | X |  |
| SB 297          | X |  |
| SB 193          | X |  |
| SB 101 Amend    | X |  |
| SB 101          | X |  |
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BILL/AMENDMENT                      AYE      NO

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Sen. *Paul E. Ungert*  
(Signature)

Date 2/4/09

# MONTANA STATE SENATE

## Visitors Register

## Natural Resources Committee

Date 2/4/09

Bill No. 297 Sponsor(s) Senator Larsen

**PLEASE PRINT**

**PLEASE PRINT**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

# MONTANA STATE SENATE

## Visitors Register

## Natural Resources Committee

Date 2/4/09

Bill No. 193 Sponsor(s) Senator McGee

PLEASE PRINT      PLEASE PRINT      PLEASE PRINT

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** Chairman Mike Milburn, on March 30, 2009 at 3:15 P.M., in Room 472 Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Mike Milburn, Chairman (R)  
Rep. Gordon R. Hendrick, Vice Chairman (R)  
Rep. JP Pomnichowski, Vice Chairman (D)  
Rep. Gerald Bennett (R)  
Rep. Anders Blewett (D)  
Rep. Jill Cohenour (D)  
Rep. Sue Dickenson (D)  
Rep. Betsy Hands (D)  
Rep. Brian Hoven (R)  
Rep. Tom McGillvray (R)  
Rep. Mike Menahan (D)  
Rep. Scott Mendenhall (R)  
Rep. Mike Miller (R)  
Rep. Michele Reinhart (D)  
Rep. Kendall Van Dyk (D)  
Rep. Chas Vincent (R)  
Rep. Wendy Warburton (R)

**Members Excused:** Rep. Tony Belcourt (D)

**Members Absent:** None

**Staff Present:** Shirley Chovanak, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 76, 3/23/2009; SB 136,  
3/23/2009; SB 193, 3/23/2009

Executive Action: SB 360; SB 76; SB 136; SB 193  
SB 246; SB 297

00:00:00 Chairman Milburn

**EXECUTIVE ACTION ON SB 360**

00:01:20 **Motion:** Rep. Pomnichowski moved that **SB 360 BE CONCURRED IN.**

00:01:35 Joe Kolman, Legislative Services Division

**Discussion:**

00:02:37 Rep. Dickenson

00:02:51 Reps. Blewett and Hendrick leave.

00:10:31 Rep. Hands

00:14:18 Rep. Hoven

00:15:13 Rep. Hands

00:15:41 Rep. McGillvray

00:16:41 Rep. Menahan

00:19:09 Rep. Dickenson

00:19:29 Rep. Menahan

00:19:39 Rep. Dickenson

00:20:41 Rep. Hands

00:22:02 **Vote:** Motion passed by roll call vote 10-8 with Reps. Pomnichowski, Van Dyk, Reinhart, Hands, Cohenour, and Dickenson voting no. Reps. Hendrick, Blewett, and Belcourt voted by proxy. Rep. Menahan will carry the bill.

00:23:23 Chairman Milburn

**HEARING ON SB 76**

**Opening Statement by Sponsor:**

00:23:35 Sen. Jerry Black (R), SD 14, opened the hearing on SB 76, Revise enhanced recovery of oil and gas laws.

**Proponents' Testimony:**

00:27:21 Tom Richmond, Department of Natural Resources (DNRC)

00:29:14 Allen McAlear, Retired Lawyer, Bozeman

00:31:17 Patrick Montalban, Northern Montana Oil and Gas Association

00:33:47 Dave Galt, Executive Director, Montana Petroleum Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:34:21 Rep. Pomnichowski  
00:34:47 Mr. Richmond  
00:35:36 Rep. Pomnichowski  
00:35:52 Mr. Richmond  
00:36:53 Rep. Pomnichowski  
00:37:01 Mr. Richmond  
00:37:50 Rep. Pomnichowski  
00:38:11 Mr. Richmond  
00:39:07 Rep. Pomnichowski  
00:39:21 Mr. Richmond  
00:40:28 Rep. Pomnichowski  
00:40:56 Mr. Richmond

**Closing by Sponsor:**

00:42:11 Sen. Black

**HEARING ON SB 136**

**Opening Statement by Sponsor:**

00:44:37 Sen. Kelly Gebhardt (R), SD 23, opened the hearing on SB 136, Clarifying oil well unit spacing requirement laws.

**Proponents' Testimony:**

00:45:41 Mr. Richmond  
00:48:02 Mr. Galt  
00:48:26 Mr. Montalban

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:48:58 Sen. Gebhardt

**HEARING ON SB 193**

**Opening Statement by Sponsor:**

00:49:42 Sen. Dan McGee (R), SD 29, opened the hearing on  
SB 193, Survey monument preservation.

00:55:42 Rep. Blewett returns.

**Proponents' Testimony:**

00:56:20 Joe Roberts, Montana Association of Registered Land  
Surveyers

**Opponents' Testimony:** None

**Informational Testimony:**

00:58:19 Mr. Richmond

**Questions from Committee Members and Responses:**

00:59:04 Rep. Miller  
00:59:27 Sen. McGee  
01:00:19 Rep. Miller  
01:00:27 Sen. McGee  
01:01:42 Rep. Dickenson  
01:02:43 Sen. McGee  
01:04:01 Rep. Pomnichowski  
01:04:32 Sen. McGee  
01:05:57 Rep. Pomnichowski  
01:06:05 Sen. McGee  
01:07:00 Rep. Hendrick returns.  
01:07:17 Rep. Vincent  
01:07:29 Sen. McGee  
01:07:51 Rep. Vincent

**Closing by Sponsor:**

01:07:56 Sen. McGee

01:09:17 Chairman Milburn



**EXECUTIVE ACTION ON SB 76**

01:10:22 **Motion/Vote:** Rep. Pomnichowski moved that **SB 76 BE CONCURRED IN**. Motion carried unanimously by voice vote with Rep. Belcourt voting by proxy. Rep. Pomnichowski will carry the bill.

**EXECUTIVE ACTION ON SB 136**

01:10:48 **Motion/Vote:** Rep. Pomnichowski moved that **SB 136 BE CONCURRED IN**. Motion carried unanimously by voice vote with Rep. Belcourt voting by proxy. Rep. Pomnichowski will carry the bill.

**EXECUTIVE ACTION ON SB 193**

01:10:56 **Motion/Vote:** Rep. Pomnichowski moved that **SB 193 BE CONCURRED IN**. Motion carried unanimously by voice vote with Rep. Belcourt voting by proxy. Rep. Bennett will carry the bill.

01:11:12 Chairman Milburn

**EXECUTIVE ACTION ON SB 246**

01:11:30 **Motion:** Rep. Hendrick moved that **SB 246 BE TAKEN FROM THE TABLE**.

01:12:22 Chairman Milburn

01:12:40 Mr. Kolman

01:12:52 Rep. Bennett

01:13:01 Rep. Mendenhall

01:13:06 Chairman Milburn

01:13:15 Rep. Mendenhall

01:13:26 Mr. Kolman

01:13:39 **Vote:** Motion carried 16-1 by voice vote with Rep. Vincent voting no. Rep. Belcourt voted by proxy.

**Discussion:**

01:14:09 Chairman Milburn

01:14:16 Mr. Kolman

01:14:40 Rep. Vincent

01:15:06 **Substitute Motion:** Rep. Bennett moved that **SB 246 BE AMENDED.**

**EXHIBIT** (nah70a01)

**Discussion:**

01:15:34 Rep. Dickenson

01:15:45 Rep. Bennett

01:16:07 **Vote:** Motion carried 14-4 by voice vote with Reps. Blewett, Cohenour, and Pomnichowski voting no. Rep. Blewett voted by proxy.

01:16:27 Chairman Milburn

01:16:50 **Motion:** Rep. Hendrick moved that **SB 246 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:17:00 Rep. Hoven

01:17:27 Rep. Mendenhall

01:17:53 Rep. Cohenour

01:18:12 Rep. Blewett

01:18:25 Mr. Kolman

01:18:51 Rep. Hoven

01:19:02 Rep. Van Dyk

01:19:12 Chairman Milburn

01:20:10 **Vote:** Motion carried 13-5 by voice vote with Reps. Mendenhall, Hoven, McGillvray, Vincent, and Warburton voting no. Rep. Belcourt voted by proxy. Rep. Hendrick will carry the bill.

**EXECUTIVE ACTION ON SB 297**

01:20:51 **Motion:** Rep. Hendrick moved that **SB 297 BE TAKEN FROM THE TABLE.** Motion carried 13-5 by voice vote with Reps. Warburton, Mendenhall, McGillvray, Bennett, and Vincent voting no. Rep. Belcourt voted by proxy.

**Discussion:**

01:21:50 **Motion:** Reps. Hendrick moved that **SB 297 BE CONCURRED IN.**

HOUSE COMMITTEE ON NATURAL RESOURCES

March 30, 2009

PAGE 7 of 8

01:22:01 Rep. Vincent  
01:22:16 Chairman Milburn  
01:22:53 Rep. Menahan  
01:23:13 Chairman Milburn  
01:23:40 Rep. Hoven  
01:24:00 Mr. Kolman  
01:24:28 Rep. Miller  
01:24:45 Chairman

01:25:01 **Vote:** Motion carried 12-6 with Reps. Mendenhall,  
McGillvray, Hoven, Warburton, Bennett, and Vincent  
voting no. Rep. Belcourt voted by proxy. Chairman  
Milburn will carry the bill.

1:25:47 Chairman Milburn

**ADJOURNMENT**

01:27:04 Adjournment: 4:40 P.M.

---

Shirley Chovanak, Secretary

SC

Additional Documents:

**EXHIBIT ([nah70aad.pdf](#))**

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**HOUSE NATURAL RESOURCES COMMITTEE**

**Date:** Monday, March 30, 2009  
**Place:** Capitol

**Time:** 3:00 pm  
**Room:** 472

**BILLS and RESOLUTIONS HEARD:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

SB 76      SB 193      \_\_\_\_\_

SB 136      \_\_\_\_\_

**EXECUTIVE ACTION TAKEN:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

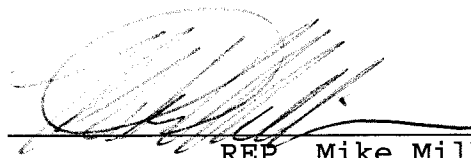
SB 360 BC      SB 297 BC      \_\_\_\_\_

SB 76 BC      SB 136 BC      \_\_\_\_\_

SB 193 BC      \_\_\_\_\_

SB 246 BCAA      \_\_\_\_\_

**COMMENTS:**



REP. Mike Milburn, Chairman

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**Natural Resources Committee**

DATE: 3/30/2009

| <u>NAME</u>                             | <u>PRESENT</u> | <u>ABSENT/<br/>EXCUSED</u> |
|-----------------------------------------|----------------|----------------------------|
| Vice Chair Gordon Hendrick              | ✓              |                            |
| Vice Chair JP Pommichowski              | ✓              |                            |
| Rep. Kendall Van Dyk <i>arr @ 3:25</i>  | ✓              |                            |
| Rep. Michele Reinhart <i>arr @ 3:25</i> | ✓              |                            |
| Rep. Scott Mendenhall                   | ✓              |                            |
| Rep. Mike Miller                        | ✓              |                            |
| Rep. Betsy Hands                        | ✓              |                            |
| Rep. Brian Hoven                        | ✓              |                            |
| Rep. Anders Blewett                     | ✓              |                            |
| Rep. Tom McGillvray                     | ✓              |                            |
| Rep. Jill Cohenour                      | ✓              |                            |
| Rep. Gerald Bennett                     | ✓              |                            |
| Rep. Sue Dickenson                      | ✓              |                            |
| Rep. Tony Belcourt                      |                | ✓                          |
| Rep. Chas Vincent <i>arr @ 3:20</i>     | ✓              |                            |
| Rep. Wendy Warburton                    | ✓              |                            |
| Rep. Mike Menahan                       | ✓              |                            |
| Chairman Mike Milburn                   | ✓              |                            |



## HOUSE STANDING COMMITTEE REPORT

March 30, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 360** (third reading copy – blue) be concurred in.

Signed: \_\_\_\_\_

*Representative Mike Milburn, Chair*

To be carried by Representative Mike Menahan

- END -

**Committee Vote:**

**Yes 10, No 8**

Fiscal Note Required ☐

SB0360003SC06475.hjd



## HOUSE STANDING COMMITTEE REPORT

March 30, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 76** (third reading copy – blue) **be concurred in.**

Signed: \_\_\_\_\_

*Representative Mike Milburn, Chair*

To be carried by Representative JP Pomnichowski

- END -

**Committee Vote:**

**Yes 18, No 0**

Fiscal Note Required ☐

SB0076001SC05186.hjd





## HOUSE STANDING COMMITTEE REPORT

March 30, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 193** (third reading copy – blue) be concurred in.

Signed: \_\_\_\_\_

*Representative Mike Milburn, Chair*

To be carried by Representative Chas Vincent

- END -

**Committee Vote:**

**Yes 18, No 0**

Fiscal Note Required \_\_\_\_

SB0193001SC05138.hjd



## HOUSE STANDING COMMITTEE REPORT

March 30, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 246** (third reading copy – blue) be concurred in as amended.

Signed: \_\_\_\_\_

*Representative Mike Milburn, Chair*

To be carried by Representative Gordon Hendrick

**And, that such amendments read:**

1. Title, line 5.

**Strike:** "EACH"

**Insert:** "THE MAIN"

2. Page 1, line 11.

**Strike:** "an"

**Insert:** "a permitted"

3. Page 1, line 12.

**Strike:** "each"

**Insert:** "the main"

- END -

**Committee Vote:**

**Yes 13, No 5**

Fiscal Note Required ☐

SB0246001SC03841.hjd



## HOUSE STANDING COMMITTEE REPORT

March 30, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 297** (third reading copy – blue) be concurred in.

Signed:

A handwritten signature in dark ink, appearing to read "Mike Milburn", written over a horizontal line.

*Representative Mike Milburn, Chair*

To be carried by Representative Mike Milburn

- END -

**Committee Vote:**

**Yes 12, No 6**

Fiscal Note Required ☐

SB0297001SC03842.hjd



## HOUSE STANDING COMMITTEE REPORT

March 30, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 136** (third reading copy – blue) be concurred in.

Signed: \_\_\_\_\_

*Representative Mike Milburn, Chair*

To be carried by Representative Gerald Bennett

- END -

**Committee Vote:**

**Yes 18, No 0**

Fiscal Note Required ☐

SB0136001SC06458.hjd

# HOUSE OF REPRESENTATIVES

## Roll Call - Vote

### Natural Resources Committee

DATE: 3/30/09

BILL: SB 360

| <u>NAME</u>                     | <u>Yes</u> | <u>No</u> |
|---------------------------------|------------|-----------|
| Vice Chair Gordon Hendrick      | P ✓        |           |
| Vice Chair Rep. JP Pomnichowski |            | ✓         |
| Rep. Kendall Van Dyk            |            | ✓         |
| Rep. Michele Reinhart           |            | ✓         |
| Rep. Scott Mendenhall           | ✓          |           |
| Rep. Mike Miller                | ✓          |           |
| Rep. Betsy Hands                |            | ✓         |
| Rep. Brian Hoven                | ✓          |           |
| Rep. Anders Blewett             |            | ✓ P       |
| Rep. Tom McGillvray             | ✓          |           |
| Rep. Jill Cohenour              |            | ✓         |
| Rep. Gerald Bennett             | ✓          |           |
| Rep. Sue Dickenson              |            | ✓         |
| Rep. Tony Belcourt              |            | ✓ P       |
| Rep. Chas Vincent               | ✓          |           |
| Rep. Wendy Warburton            | ✓          |           |
| Rep. Mike Menahan               | ✓          |           |
| Chairman Mike Milburn           | ✓          |           |

10

8

**AUTHORIZED  
COMMITTEE PROXY**

I request to be excused from the House Natural Resources

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. of Pennsylvania

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

|                                    |   |   |
|------------------------------------|---|---|
| SB360 DO CONCUR                    |   | X |
| SB16 DO CONCUR                     | X |   |
| SB136 DO CONCUR                    | X |   |
| SB193 DO CONCUR                    | X |   |
| SB246 MOVE FROM TABLE <del>1</del> | X |   |
| AMD SB024602                       | X |   |
| DO CONCUR AS AMD                   | X |   |
| SB297 MOVE FROM TABLE              |   |   |
| DO CONCUR.                         | X |   |
|                                    |   |   |
|                                    |   |   |
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BILL/AMENDMENT

AYE NO

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Rep. Tony Belcourt  
(Signature)

Date 1-6-09  
30 March 09

**AUTHORIZED  
COMMITTEE PROXY**

I request to be excused from the House Natural Resources

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. JP Pannichowski

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT                      AYE      NO

|                 |  |   |
|-----------------|--|---|
| SB360 DO CONCUR |  | X |
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BILL/AMENDMENT                      AYE      NO

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Rep. John Blewett  
(Signature)

Date 4/06/09  
30 March 09

**AUTHORIZED  
COMMITTEE PROXY**

I request to be excused from the Natural Resources

Committee because of other commitments. I desire to leave my proxy vote with:

---

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

| BILL/AMENDMENT | AYE                                 | NO                       |
|----------------|-------------------------------------|--------------------------|
| <u>SB 360</u>  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|                | <input type="checkbox"/>            | <input type="checkbox"/> |
|                | <input type="checkbox"/>            | <input type="checkbox"/> |
|                | <input type="checkbox"/>            | <input type="checkbox"/> |
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| BILL/AMENDMENT | AYE                      | NO                       |
|----------------|--------------------------|--------------------------|
|                | <input type="checkbox"/> | <input type="checkbox"/> |
|                | <input type="checkbox"/> | <input type="checkbox"/> |
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|                | <input type="checkbox"/> | <input type="checkbox"/> |

Rep. Clayton B. Hendrick  
(Signature)

Date 3-30-09



**Date** 3/30/09

**PLEASE PRINT**

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**